

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
CHARLES B. DAY
UNITED STATES MAGISTRATE JUDGE

U.S. COURTHOUSE
6500 CHERRYWOOD LANE
GREENBELT, MD 20770
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April 23, 2013

VIA CM/ECF

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Re: *Everhart v. Washington Metropolitan Area Transit Authority*
Civil Action No.: CBD-11-2155

Dear Counsel:

On April 23, 2013, the Court held a pretrial conference in the above-referenced case. The Court hereby adopts counsel's proposed Pretrial Order as amended and supplemented in the pretrial conference and by the following orders:

- 1) Defendant's Motion to Strike Plaintiff's Expert Dr. Joel Fechter (ECF No. 60) is DENIED for the reasons stated on the record during the pre-trial conference. However, Plaintiff must disclose to Defendant as soon as possible the list of cases in which Dr. Fechter has testified.
- 2) The following exhibit in Plaintiff's exhibit binder is admitted without redaction: 1 ("Telephone Report of Claim"). The Court adopts the numbering used in Plaintiff's exhibit binder, which differs from that in the Joint Pretrial Order (ECF No. 47).
- 3) The following exhibits in Defendant's exhibit binder are admitted without redaction: 2, 3, 5(a)-(c), and 6-12.
- 4) Plaintiff will be permitted to call the following witnesses in her case in chief: Carol Everhart and Dr. Joel Fechter.
- 5) Defendant will be permitted to call the following witnesses in its case in chief: Charles Jones, Jackie Smith, Priscilla Alston, Thomas "Larry" Skelton, and Dr. Richard H. Conant.

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- 6) The parties are to choose between introducing the curriculum vitae of their expert witnesses as an exhibit or through verbal reiteration on the stand, but not both.
- 7) On or before April 30, 2013, the parties must advise the Court as to whether they wish to participate in partial attorney voir dire as discussed during the pretrial conference.
- 8) On or before April 30, 2013, the parties must inform the Court as to whether they agree to ongoing jury deliberations during trial.

The parties should arrive in court on Tuesday, May 21, 2013, by 9:00 AM. The Court will hold a charge conference near the close of the presentation of evidence. The conference will be in Chambers and will be limited to counsel for each party.

Despite the informal nature of this letter, it should be docketed as an Order of the Court.

/s/
Charles B. Day
United States Magistrate Judge